

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

October 20, 2015

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PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation was given by Sergeant Gazzara Hill, Chaplin with the Clayton County Police Department. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by removing Item No. 23, ZONING PETITION: **CHRIS KNIGHT/MOD-15/07-5** (*Tabled from the September 15, 2015 Meeting*) The Applicant, Chris Knight on behalf of RES-GA MCC, LLC, is requesting modification to conditions of zoning. The request is for properties located in the **Garners Ridge Residential Subdivision**. The subject property is approximately 19.821 +/- acres of land, located in Land Lots 113 & 114 of the 5th District. The property is zoned RS-180-Conservation. **Commissioner District 3 – Shana M. Rooks, The Zoning Advisory Group Recommended DENIAL.** Vote unanimous. Request made by Chairman Turner for the Human Resources Director to bring forth a recommendation to hire for the Chief Operating Officer position, for the Board's consideration. Vote unanimous. Hold Item No. 19, Resolution 2015-267 - A Resolution authorizing Clayton County to enter into an intergovernmental agreement with the City of Lake City for the provision of Fire Services, Emergency Management Services, and Emergency Communications Services (E-911), Item No. 20, Resolution 2015-268 - A Resolution whereas the Board of Commissioners of Clayton County has determined that a need exists for the purchase of the fire station described in the Agreement of Sale to be entered into between Clayton County, Georgia and the City of Lake, City, Georgia, and Item No. 22, ZONING PETITION: **ELLEN SMITH/ CUP-15/05-16 & BZA-15/06-69** (*Reconsideration from August 18, 2015 Meeting*), The Applicant, Ellen Smith on behalf of SBA Towers V, LLC c/o Carter Smith, is requesting a CUP (Conditional Use Permit) from Article 3, Section 3.31 HI (Heavy Industrial) District; a variance from Article 6, Section 6.37 TF-06.A.1 Design Standards for Telecommunication Facilities to reduce the tower height setback and a variance from Article 6, Section 6.37 TF-06.D.1, Landscaping to eliminate ten (10) feet wide landscape buffer requirement to allow for the construction of a new wireless communication facility (cell tower). The subject property is located at 1053 Mt. Zion Road, Morrow, GA 30260 and otherwise known as parcel number 13-145A-E009. The subject property contains approximately 3.963 +/- acres of land and it is currently zoned HI (Heavy Industrial) District. **Commissioner District 4 – Michael Edmondson; The Zoning Advisory Group Recommended APPROVAL**, until after

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Executive Session. Vote unanimous. Motion by Commissioner Edmondson, second by Commissioner Rooks, to adopt the agenda as amended. Vote unanimous.

4. Approved of the October 6, 2015 Regular Business Meeting minutes. Vote passed 4-1. Commissioner Edmondson abstained.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
 1. Lisa Flemming, signed up at the previous Regular Business Meeting to speak; was not present when called by Chairman Turner to speak.
 2. Candy Lane, signed up at the previous Regular Business Meeting to speak; was not present when called by Chairman Turner to speak.
 3. Gayle Beddingfield, a Clayton County resident, thanked the Clayton County Police Department Explorers for what they do with the youths through the Police Department. She also thanked CCTV-23 for what they do for the county. Ms. Beddingfield stated that is she is co-captain of her historic Rex Neighborhood Watch Program which represents about 30 families in the unincorporated area of Rex Village. She stated that her roots are planted here in Clayton County, and she is present to support Interim Police Chief Michael Register. Ms. Beddingfield stated that in speaking with the officers that patrol the area where she resides, the officers have stated how the morale has increased and how the officers feel that the community has improved under Interim Chief Register's direction. She asked that the Board keep Interim Chief Register in the position of Police Chief.
 4. Lloyd Hamilton, a Clayton County resident, stated that he is the spokesperson for approximately 100 homeowners located in Fox Field subdivision in Rex. He stated that the community has a very active neighborhood watch. Mr. Hamilton stated that when the group meets, they send in minutes along with the sign-in sheet to the county. He offered praise to Interim Police Chief Register, stating that over the past two months there has been greater police patrolling, a quicker response from the police if called, and the neighbors feel safer. Mr. Hamilton stated that he has also taken note that the morale within the department seems to be so much better. He stated that he, the residents and taxpayers of Fox Field recommend that Interim Police Chief Register be made permanent.

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5. Jerry Beddingfield, a Clayton County resident, stated to the Board that the citizens appreciate its help; we like change. He stated that there needed to be a way to hire another 100 to 200 police officers within that department; he has seen it in the past. Mr. Beddingfield stated that it would be wonderful if the county had something positive to help the community.
6. Nia Walker, a Clayton County District 3 resident and a member of the Clayton County NAACP Branch. She shared with the Board an email that was sent on Monday, October 19, 2015 in regards to reinstating former Police Chief Greg Porter. Within the email, she stated that there were no ill feelings against Interim Police Chief Register; however, she felt that former Police Chief Porter fit the role better.
7. Pastor Derrick Rice, a Fulton County resident, Pastor of Sankofa United Church of Christ, and a member of the Concerned Black Clergy of Atlanta. He stated that he was present to respectfully request the reinstatement of former Police Chief Greg Porter. He stated that meetings have occurred with each member of the Board over the past three (3) months or so and the best reason that has been given in regards as to why former Police Chief Greg Porter was removed was that he did something wrong; however, no one can advise as to what was done. An injustice has been done. If you all want to do what is right, vote former Police Chief Porter back in and let him retire in dignity.
8. Andreana Merritt, a DeKalb County resident. Her son is Officer Darryl Wallace, who lost his life on March 15, 2015 while on duty. She stated that she was present on his behalf and on behalf of his fellow officers. She stated that she was present to beg of the Board to not reinstate Gregory Porter as Chief of Police. She stated that she can only speak from her experience in stating that Former Police Chief Porter lacks integrity and transparency. She stated that she and her family had questions about the vehicle that Darryl was driving at the time of his accident; this was openly expressed about four (4) months ago at a meeting that was held. Ms. Merritt stated that she was advised that she would receive her late son's badge, a corrected death certificate, and a copy of the SKIRT report from his patrol. None of these she has received from Mr. Porter after that meeting. She stated that she received a call approximately a week ago and was advised that the death certificate was being "worked on". She stated that she has not spoken to former Police Chief Porter since that meeting, so she urged the Board to please vote that he not be reinstated.

Chairman Turner thanked Ms. Merritt and stated that the county does honor her and her son for the time that he spent with Clayton County.

9. Connie Rice did not respond when called.

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10. Jim Carter, a Clayton County resident, stated that there is a morale problem that is prevalent throughout the Clayton County Police Department. He stated that he has met both Interim Police Chief Register and former Police Chief Porter. Mr. Carter stated that in speaking with an officer that came to his home for a 911 dispatched call, the morale had improved within the department 90%. He stated that got his attention. Mr. Carter stated that he continues to hear how morale has improved with the change of leadership, and we should all be concerned about that. He stated that with the right leadership within their respective departments, we can improve Clayton County.
11. Dr. LaKeisha Porter, a Fulton County resident, is the daughter of former Police Chief Greg Porter. She stated that as a child, she was a resident of Clayton County. She witnessed her father's tireless efforts and dedication to serving the citizens of Clayton County. Dr. Porter stated that for the past 29 years, he has continued his faithful dedication and service to the citizens of Clayton County with no less than a 95% employee evaluation grading. She stated that she hoped the intentions were to focus their decisions on what is best for the citizens of Clayton County and for the betterment of the county.
12. Reverend Joseph Wheeler, a Clayton County resident, stated that he has worked with former Police Chief Porter, Chairman Turner (when he was Police Chief), and several others. He stated he has seen many changes happen throughout the Police Department over the years and has seen many changes and improvements over the years. Reverend Wheeler stated that there is no concerted effort by county leaders and stated that we, as a county, should be focused on property taxes and foreclosures, instead of "petty, sleazy, politics". He stated that "this is retaliation against Greg Porter". He stated that protest will be had within Clayton County in regards to this until everyone is "singing out the same hymn book".
13. Timothy Merritt, the father of the late Darryl Wallace, Clayton County Police Officer. He stated that he and his family were advised by former Police Chief Porter that he would check into some information for them, of which he did not. Mr. Merritt stated that his family was advised of certain things dealing with paperwork that would be done, but were purposely done incorrectly. He stated they were supposed to get the vehicle maintenance report, but did not get it until Interim Police Chief Register came. He also stated that he and his family were told to throw the Board of Commissioners "under the bus". Mr. Merritt stated that his late son expressed several times that the steering on his car was a problem and was told that was the only thing that he was afraid of with regards to his job. Mr. Merritt stated that he has seen the car, and the only thing missing is the steering column. He proceeded to express how he, his wife and family have been stressed since the untimely passing of his son. Mr. Merritt thanked

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the Board for putting an individual in place who cared about his wife in providing information on his late son.

6. PRESENTATION: "MARTA Update". (Presented by Jerry Griffin)

Jerry Griffin, with MARTA, thanked the Board for allowing him to provide an update on MARTA. He thanked the Board for allowing Clayton County to join with MARTA to provide transportation for the citizens of the county. He expressed that as of now there are seven (7) bus routes within the county. Mr. Griffin stated that the operating budget for FY 2016 is \$512 million, and a capital budget of approximately \$432 million. Part of these funds is the utilization of debt to include Clayton County and its usage of MARTA.

Kevin Hurley with the MARTA Finance Department presented with some figures in regards to MARTA's funding and budget. He stated that Mr. Griffin had painted the picture that MARTA was going to be issuing bonds, and now would be a good time to walk the Board through a power-point on how the issuance of the bonds would take place. Mr. Hurley outlined how if the sales tax collections increased, then the bond holders would benefit from an increasing sales tax receipt. Mr. Hurley presented the Board with a detailed flow of debits and credits which outline the income and debts paid by MARTA in order for the services to continue to flow, including Clayton County's part in the entire scheme of things.

Commissioner Edmondson thanked Mr. Hurley for the presentation. He asked how does MARTA pledging the money that Clayton County contributes for its (MARTA's) debt benefit the bond holders (not Clayton County because Clayton County is not a bond holder). Mr. Hurley stated that the Clayton County tax payers will not be taking on the burden of debt from Fulton or DeKalb Counties. The MARTA Board of Directors had approved a policy that has been in place for many years that only allows 45% of the MARTA sales tax collections to be used for debt. That in itself provides a two times debt coverage ratio with or without Clayton County. Commissioner Edmondson asked why the money that Clayton County is contributing going to the trustee. Mr. Hurley stated that it makes MARTA's debt coverage ratio go from a 2 to a 2.35 because it is inside of a debt validation. Commissioner Edmondson confirmed that this type of action places the county contributed funds at risk. Mr. Hurley stated that it is only at risk if MARTA were to go well above 45% of its sales tax to support debt. Mr. Hurley stated that the only thing that the bond validation provides is the increase in the coverage.

Commissioner Edmondson asked Mr. Hurley to give information on the Clayton County commuter rail projects that have been identified that are to be funded by this bond issuance. Mr. Hurley replied that right now, there are not going to be bonds issued utilizing Clayton County sales taxes. He stated that the Clayton County commuter rail will not start for another five (5) to six (6) years.

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Commissioner Edmondson asked if Clayton County funds were being used to fund debts that are not Clayton County projects at this time. Mr. Hurley stated that the payments for that debt were coming from another “bucket” of money. Commissioner Edmondson pointed out that the flow of money is being sent to the Department of Revenue, who then sends it to a trustee who disburses the money to the appropriate entities; if there was no debt the money would bypass the trustee and go straight to MARTA. Mr. Hurley agreed.

Mr. Griffin stated that he thinks the issue is that the Department of Revenue issues one check for the MARTA tax; the MARTA tax is collected in Fulton, DeKalb and Clayton counties. The separation is done internally as they do not issue three separate checks.

Commissioner Rooks asked what was the number in correlation to the remaining 55% to 60%. Mr. Hurley explained that 60% of the available sales tax to pay for bond issues/debt service flows down to the general fund where MARTA is able to purchase assets, to pay the operators, and other things of that nature. Commissioner Rooks confirmed that the remaining 60% or so is not used to pay for the debt. Mr. Hurley confirmed that was correct.

Commissioner Gregory recommended to Mr. Hurley, Mr. Griffin and Ms. Roberta Abdul-Salaam that the money that is not being used to service debt be used to get shelters and trash cans for the bus stops.

Vice-Chairman Hambrick asked Mr. Griffin if there were plans for a rail to be run into Clayton County. Mr. Griffin advised that a study is being conducted now in regards to the rails, where the rail line would be run from East Point down into Lovejoy. Vice-Chairman Hambrick asked Mr. Griffin what is the time table for completion. He advised that he does not have a time of completion for the rail until the study is complete. Chairman Turner advised that this was discussed the last time a presentation was done by Ms. Roberta Abdul-Salaam.

Ms. Abdul-Salaam advised that meetings had been held in regards to the garbage cans and it was proposed that if MARTA provided the cans, that there were and are community organizations that are willing to “police” the area in terms of the garbage issue. Commissioner Gregory stated that she felt as though the county is asking too much of its citizens to keep the bus stop areas clean, as this should be a task for MARTA. Ms. Abdul-Salaam stated that we must learn that these are partnerships, as we are all still learning. Ms. Abdul-Salaam stated that she was expressing the point that none of the transit systems that she is aware of is responsible for the garbage collection and pickup in the areas serviced. She expressed that she wished the commissioners would attend some of the conferences and discussion that take place in regards to the rail systems.

Mr. Griffin stated that the contract that was signed by Clayton County with MARTA stated that the county agreed to pay up to \$1 million a year for its own garbage pick-up. Ms. Abdul-Salaam also

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advised that MARTA does not provide the shelters, the advertising agency does and the advertising agency has not yet signed a contract that includes Clayton County.

Vice-Chairman Hambrick asked how much the bond would cost the Clayton County residents. She was advised that it would cost the residents nothing. She asked when that would happen. Mr. Hurley advised that the bond bid would happen November 5, 2015.

7. PRESENTATION: "Economic Development Update". (Presented by Courtney Pogue- Director of Economic Development)

Courtney Pogue, Economic Development Director provided an update on the jobs here in Clayton County. He stated that Clayton County is the heart of Atlanta's southern crescent. Mr. Pogue stated that several major companies have invested over \$300 million in Clayton County over the past two years, creating over 1,000 jobs. Mr. Pogue presented the following county snapshot: Population 270,000, Median Household Income is approximately \$40,000.00 (compared to the state household income of approximately \$49,000.00), Unemployment rate of 7.5%, Home ownership rate of 55.3%, Black owned businesses 51.5%, Retail demand \$2.9 billion, and Retail businesses of 1,980 businesses. Mr. Pogue stated that he and his department plan on promoting Clayton County, Promote the expansion of existing retailers in the county, Promote the county successes, Promote the counties investments and infrastructure, and develop and fully implement the economic plan developed in 2013 for 2015-2016. The county must work on expanding its "toolbox".

Commissioner Rooks asked Mr. Pogue if he felt that the county needed a brand consultant. Mr. Pogue replied that some of his previous employers did have a brand consultant; however, economic development in Atlanta is very competitive and costly. He stated that in his opinion and in the best interest for the county, he felt that Clayton County needed a brand consultant.

8. Consider requests of Debra Brewer, Director of Central Services. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

- 1) Approved **Recommendation for Award: RFQ #2015-19 Influenza Vaccine Administration.** (\$20.00 per vaccine / Rite Aid Hdqtrs. Corp. (Rite Aid), located in Camp Hill, PA. On site flu shot clinic. Self-Funded Insurance or participant direct pay). As requested by the Human Resources Department. Pursuant to Section 2-136 (4) of the Clayton County Code of Ordinances, General Purchasing Methods; the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written responses from vendors. All reasonable efforts will be made to obtain three written quotations

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for each item solicited. Awards for written quotations are given strictly on a lowest quote. Vote unanimous.

- 2) Approved **Recommendation for Award: RFQ #2015-21 Auditing Services for Clayton County Hospital Authority**. (\$6,500.00 / Draffin & Tucker, LLP, located in Atlanta, Georgia. Funding is available through the Auditing Fees Account). As requested by the Finance Department. Pursuant to Section 2-136 (4) of the Clayton County Code of Ordinances, General Purchasing Methods; the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written responses from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. Vote unanimous.
9. Considered the requests of Ramona Bivins, Chief Financial Officer.
- 1) Approved Budget Amendment #2-68/Professional Services/FYE 6-30-15 - To amend in additional revenue for the payment of legal fees and litigation claims, in the amount of \$1,366,335. Vote unanimous.
 - 2) Approved Budget Amendment #2-69/Other General Government/FYE 6-30-15 - To amend in additional revenue for payment of utilities, claims, care and monitoring, sanitation expense, repair and maintenance, autos and trucks, and extraordinary items, in the amount of \$1,857,197. Vote unanimous.
 - 3) Approved Budget Amendment #2-70/Ellenwood Town Center Redevelopment/FYE 6-30-15 - To amend the budget for the Ellenwood TAD to provide for agent fees and operating transfers out, in the amount of \$521,662. Vote unanimous.
 - 4) Approved Budget Amendment #2-71/Debt Service Fund/FYE 6-30-15 - To transfer funds to cover the cost of debt service principal payment, in the amount of \$1,000. Vote unanimous.
 - 5) Approved Budget Amendment #2-13/3% Hotel/Motel Discretionary Fund/FYE 6-30-16 - To provide grant matching funds to Arts Clayton for roof repair, in the amount of \$25,000. Vote unanimous.
 - 6) Approved Budget Amendment #2-14/Senior Services/FYE 6-30-16 - To amend in revenue received from participants to cover the cost of an overnight trip, in the amount of \$13,789. Vote unanimous.

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Commissioner Edmondson asked what the destination of this trip was and how many individuals are going. Ms. Bivins stated that the fees are collected from the participants who are going on this trip.

10. Considered the requests of Renee Bright, Human Resources Director.

- 1) Approved the Renew the vision coverage offered to employees and retirees through Davis Vision effective June 1, 2016. Vote unanimous.
- 2) Approved the Reorganization of the Juvenile Court's administration due to added State mandates. Motion passed 3-2. Commissioner Gregory and Vice-Chairman Hambrick opposed.
 - a. Delete the Chief of Staff / Juvenile Court (grade 30) position and create Director of Juvenile Court Programs and Resource Development (grade 33)
 - b. Delete Director of Juvenile Court Services (grade 34) and create Director of Juvenile Court Operations (grade 35)

Vice-Chairman Hambrick asked why this was not included in the budgeting process. Judge Steve Tesky, Chief Judge of Juvenile Court replied that the laws are recently in effect so it is taking some time to feel the effect of this new mandate.

Commissioner Gregory asked if there was any type of analysis on how this would impact the budget next year, compared to this year. Ms. Bivins replied that it was not calculated originally; however, there should not be a huge impact. No additional funds are being requested as they are using existing funds.

Vice-Chairman Hambrick questioned as to when these mandates occurred. Judge Tesky replied January 1, 2014. Vice-Chairman Hambrick asked why this is just now taking place. Judge Tesky replied that it takes time for things of this nature to have an effect, and Juvenile Court is just now starting to feel the effect of this.

Ms. Bright then presented before the Board the recommendation to appoint Interim Chief Operating Officer Detrick Stanford as the final candidate selected for this position. Two analysts, David Hankerson (Cobb County, County Manager) and Terrance Moore (College Park City Manager) were asked to interview the candidates for the position of Chief Operating Officer. The panels were sent 13 applications for review and five (5) candidates were selected for interviews; after scheduling the interviews two (2) of the five (5) withdrew. Interviews were held on October 9, 2015, and based on the

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interviews, the panelist recommended Detrick Stanford, current Interim Chief Operating Officer, as the Chief Operating Officer. Motion to appoint Detrick Stanford as the Chief Operating Officer passed 3-2. Commissioner Gregory and Vice-Chairman Hambrick Opposed.

11. Approved Resolution 2015-259 - A Resolution authorizing Clayton County to amend a consultant agreement with TUSA Consulting Services. Vote unanimous.

***Synopsis:** This will extend the contract with TUSA Consulting Services to May 13, 2016 for an additional cost of \$26,000.00.*

Vice-Chairman Hambrick asked why there was an increase of \$26,000.00. Brett Lavender, IT Director stated that in June 2015 the county did acceptance testing for a radio system. This estimate is for the final payment for that testing.

Vice-Chairman Hambrick questioned if it were possible that the county could not use the lowest bidder to begin with and then that bidder turns around and there are additional costs as such. Christie Barnes, Chief Staff Attorney stated that sometimes the scope of services that the county contemplates on receiving is not a complete or comprehensive scope of services and sometimes it necessitates additional costs.

Commissioner Edmondson stated that since we are amending the agreement that means that the county is going to receive no less than \$5.00 per ticket for tickets, with a maximum of approximately \$6,000.00 collected. Detrick Stanford Chief Operating Officer stated that when the vendor initially signed the contract, there were two things: 1. The County would collect \$5.00 per \$15.00 ticket sold or 2. The county would collect up to \$11,000.00 collectively.

Commissioner Edmondson asked if the county would be utilizing this vendor in the future if considerable profits are not made for the event that it is hosting. Mr. Stanford stated that in the future the county will ensure that there is a guaranteed threshold.

12. Approved Resolution 2015-260 - A Resolution authorizing Clayton County to enter into an agreement with Sweet Serenity, Inc. to host a children's toy giveaway at Clayton County International Park. Vote unanimous.

***Synopsis:** The Parks and Recreation Department recommended fee to be paid by the Promoter for the event scheduled for December 12, 2015.*

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13. Approved Resolution 2015-261 - A Resolution authorizing Clayton County to enter into an amended and restated license agreement with Diversity Talent Agency to host a Labor Day weekend at Clayton County International Park. Vote unanimous.

***Synopsis:** This amended and restated license agreement which sets forth new conditions in the event that the monies received by the County from admission ticket sales are less than \$18,000.00 at which time the County would accept such total received based on a revenue split of \$5.00 for each \$15.00 ticket sold as full and complete compensation under the terms of the new agreement.*

14. Approved Resolution 2015-262 - A Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Georgia Public Defender Standards Council. Vote unanimous.

***Synopsis:** To effectuate the most efficient and cost-effective manner of delivering quality indigent defense services.*

15. Approved Resolution 2015-263 - A Resolution authorizing Clayton County, on behalf of the Clayton County District Attorney's Office, to enter into a grant award agreement with the State of Georgia Department of Human Services and, in accordance therewith, accept grant funds to be used in connection with child support recovery efforts associated with the District Attorney's Office. Vote unanimous.

***Synopsis:** Georgia Department of Human Services has awarded grant funds to the District Attorney's Office in the amount of \$ 683,658.20, with a local match of \$13,243.24, to be used in connection with child support recovery efforts in the District Attorney's Office.*

16. Held Resolution 2015-264 - A Resolution authorizing Clayton County to enter into an intergovernmental agreement with the City of Morrow for the provision of Emergency Communications Services (E-911) Vote unanimous.

***Synopsis:** This Resolution allows Clayton County provisions of E-911 for the City of Morrow.*

Commissioner Edmondson asked Ms. Barnes in regards to Item No. 4 of the revised documentation that she handed out to the Board, under the section "title compensation". He asked according to the documentation, if Clayton County was going to increase service to the E911 Communications Center

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specifically by \$100,000.00 yearly or would other revenues be supplanted. Mr. Stanford advised that the \$100,000.00 could be specified as used for personnel cost or operational cost. Ms. Bivins added that the E911 funds would only be used for E911, which includes personnel and any operating costs; any excess would go toward reserves. Commissioner Edmondson also questioned if categorically the funds qualified as E911 funds. Ms. Bivins advised that the purpose is for E911 communications, however, for any other use it would have to be set up as a special project.

Commissioner Edmondson also asked Ms. Barnes a question in regards to Item No. 6, if the dispatching is being forwarded to the county, where does the responsibility end. Chairman Turner advised that the Police Department handles the activities on ground, dispatch receives the call and dispatches it to the officer, providing pertinent information relating to the incident, and once the officer gets on scene, that is when the dispatcher is released from management of the call. Commissioner Edmondson wanted clarification just to make sure and to make clear that emergency call is not the actual call but the entire experience. Chairman Turner confirmed this and added that there are incident commands.

Commissioner Rooks questioned as to how the county determines the amount of money delineated for the City of Morrow. Ms. Barnes replied that the amount would be reflected in the L.O.S.T. certificate. The county would have to revise the L.O.S.T. distribution amounts to reflect that the county is providing Morrow with E911 services. Commissioner Rooks asked if that needed to be placed within the resolution. Ms. Barnes replied that it could be included in the intergovernmental agreement (IGA). Commissioner Rooks stated that she felt as though this needed to be re-negotiated to reflect this change to the intergovernmental agreement. Commissioner Edmondson stated that since the L.O.S.T. and IGA are two separate things, then he saw no need to do so since one does not manipulate or depend on the other.

Lauren Barnes, representative for the City of Morrow, stated that there is no negotiation on the L.O.S.T. being amended to reflect Clayton County providing the service to Morrow. She stated that there would not be an additional compensation out of the L.O.S.T. Commissioner Rooks asked when the next year rolls around, will the city receive funding for E911 services. Ms. Barnes replied that the questions that Commissioner Rooks is asking are a bit convoluting. The E911 fees would go directly to the county if this agreement were executed. The City of Morrow would still get its portion of the L.O.S.T. and Clayton County would receive \$100,000.00 in addition to the E911 fees. Commissioner Rooks asked Ms. Barnes how much the City of Morrow received from the L.O.S.T. funds for E911. Ms. Barnes stated there is no slated funding amount for that.

Mayor JB Burke, City of Morrow, apologized to the commissioners for not being in attendance at the last meeting as he was unaware that discussions about the City of Morrow were taking place.

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Jack Hancock, County Attorney, stated that this is a small problem with what has been done up to this point; taking Lake City off of the “table” tonight has created a situation to where if the Board were to approve this resolution, it would require termination with Lake City, which includes 911, Fire, and EMS. Attorney Hancock suggested that this resolution be modified slightly to provide that it goes into effect only upon the termination of the E911 fulfillment of the Morrow-Lake City agreement and Clayton County agrees to pick up the Lake City E911 for their fees if that happens, so they aren’t left completely without E911 services.

17. Defeated Resolution 2015-265 - A Resolution to reappoint Gregory Porter as the permanent Chief of the Clayton County Police Department; To combine the 911 Communications Center Department with the Clayton County Police Department. Motion was defeated 2-3. Chairman Turner, Commissioner Rooks and Commissioner Edmondson opposed.

Synopsis: This Resolution will reappoint Gregory Porter and combine the 911 Department with the Clayton County Police Department.

18. Approved Resolution 2015-266 - A Resolution authorizing Clayton County to enter into a grant award agreement with the Prosecuting Attorney’s Council of Georgia and in accordance therewith accept grant funds to be used in connection with the Victims of Crime Act (VOCA) and the Clayton County District Attorney's Victim Assistance Program. Vote unanimous.

Synopsis: The Prosecuting Attorney’s Council of Georgia has awarded grant funds in the amount of \$88,771.00, with a local match of \$22,193.00, to be used in connection with VOCA and the Clayton County District Attorney’s Victim Witness Assistance Program.

Ms. Barnes requested an Executive Session to discuss real estate, litigation and personnel matters.

Vice-Chairman Hambrick thanked Clayton County Parks and Recreation, Tina Howard (Constituent Aide), Mark Singletary (volunteer), Troy Hodges, Troy Stubbs, and other volunteers that assisted with the Fall Festival that was held this past Saturday at Flat Shoals Park. A special thank you to Police Captain Tina Daniels for her assistance.

21. Held the appointment to the Department of Behavioral Health and Developmental Disabilities Region 3 Advisory Council to fill a vacant seat formerly held by Mr. Brent Benedetti. The term

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is for three years expiring on April 2, 2016. (Full-Board Appointment) *(Held from the October 6, 2015 meeting.)*

24. Approved ZONING PETITION: **CLAYTON NORTHBRIDGE, LLC/MOD-15/08-6** Vote unanimous.

The Applicant, Clayton Northbridge, LLC, is requesting a **Modification to a Condition of Zoning** in the Northbridge Estates Subdivision, Unit Five, located in Land Lots 77, 78, and 84 of the 5th District. The final plat was recorded in plat book 37, pages 21-26, and dated 5-24-2005. The applicant's request **to modify a condition from 33% of units with 1-car garage side entry to 9% of units with 2-garage side entry**. The subject properties are zoned Residential District (RS-180-CR), consists of 114+/- acres of land and have primary access off of Northbridge Road.

Commissioner District 3 – Shana M. Rooks

The Zoning Advisory Group Recommended APPROVAL

Steve Moore, Moore-Bass Consulting of McDonough, Georgia, presented as a representative for the applicant Clayton Northbridge, LLC. Mr. Moore stated that this request for modification was presented in January 2015 and at that time there was a great deal of opposition from the neighbors within the subdivision. The application was withdrawn so that the applicant could meet with the Homeowner's Association (HOA). Mr. Moore provided the Board with examples of the modifications that were to be made. He stated that most changes would be made primarily to those units located on corner lots.

Commissioner Rooks stated that the county and applicant have been dealing with this since January 2015 and this is the result when the HOA chooses to get involved. She commended the HOA for their involvement on this project.

Motion made by Commissioner Edmondson, second by Chairman Turner, to go into Executive Session to discuss real estate, litigation, and personnel matters in the Commissioners' Conference Room 9:17 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Commissioner Edmondson, to go out of Executive Session at 10:11 p.m. Vote unanimous.

POST SUMMARY MINUTES

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 10:15 p.m. Vote unanimous.

Mr. Hancock stated that it was his understanding that the settlement proposal that was made with regards to the issues with the cell tower was to be accepted; if that not be the case, it will be brought back before the Board in terms of a settlement agreement.

Motion made by Chairman Turner, second by Commissioner Rooks, for the Board the posting for position of Chief of Police. Motion passed 3-2. Commissioner Gregory and Vice-Chairman Hambrick opposed.

A recommendation was made by COO Stanford to appoint Nicole Horne as the Interim Parks and Recreation Director. Motion was made by Chairman Turner to support COO Stanford's recommendation; however, it died due to lack of a second.

Another recommendation was made by COO Stanford to appoint Troy Hodges as the Interim Parks and Recreation Director. Motion made by Vice-Chairman Hambrick, second by Commissioner Gregory, to appoint Troy Hodges as the Interim Director of Parks and Recreation. Vote unanimous.

There being no further business to discuss, motion by Commissioner Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of October 20, 2015 at 10:17 p.m. Vote unanimous.